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THE FINANCIAL CENTER
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OFFICE OF PETITIONS

In re Application of :
John A. Greaves, Friedhelm Brinkhaus, and :
James E. Haworth :
Application No. 09/206,458 :
Filed: December 7, 1998 :
Attorney Docket No. 4532670/6974 :
Title: METHOD FOR SIMULTANEOUS :
EXTRACTION OF ESSENTIAL OILS AND :
ANTIOXIDANTS FROM LABIATAE :
SPECIES AND THE EXTRACT :
PRODUCTS THEREOF :

DECISION GRANTING
PETITION UNDER 37 C.F.R. §1.137(b)

This is a decision on the second renewed petition filed on September 16, 2002¹, pursuant to 37 C.F.R. §1.137(b)², to revive the above-identified application.

With the instant petition, petitioner has filed a Continued Prosecution Application (CPA), the associated fee, and the remaining deficiency with the issue fee. Petitioner has also submitted a four-month extension of time, to make timely this request³.

The CPA has been accepted as the required reply under 37 C.F.R. §1.137(b)(1).

¹ The original petition was filed on June 28, 2001, and dismissed via a decision mailed on October 9, 2001. The renewed petition was filed on January 4, 2002, and was dismissed via a decision mailed on March 15, 2002.

² A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

³ As the decision on the renewed petition set a period for response of two months, was mailed on March 15, 2002, and the instant petition was not faxed until September 16, 2002, a five month extension of time is required. The difference has been charged to petitioner's Deposit Account, as authorized in the petition.

As such, the second renewed petition is **GRANTED**.

Since this application is being revived for purposes of continuity only and since continuity has been established by this decision reviving the application, the application is again abandoned in favor of continuing Application No. 09/206,458.

After this decision is mailed, the application will be forwarded to Technology Center 1600 for processing of the CPA filed with the instant petition.

Telephone inquiries specific to this decision should be directed to Petitions Attorney Paul Shanowski at (703) 305-0011.

A handwritten signature in black ink, appearing to read "Paul Shanowski".

Paul Shanowski
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy